

COURTROOM MINUTES OF CRIMINAL PROCEEDINGS
Norfolk Division

SENTENCING MINUTES

Set: <u>10:00 am</u>	Date: <u>1/26/2023</u>
Started: <u>10:10 am</u>	Judge: <u>Elizabeth W. Hanes, USDJ</u>
Ended: <u>11:05 am</u>	Court Reporter: <u>Jill Trail</u>
	U.S. Attorney: <u>William Jackson</u>
	Defense Counsel: <u>Eric Leckie</u>
	Courtroom Deputy: <u>Katie Galluzzo</u>
	Probation Officer: <u>Joshua Coleman</u>
Case No. <u>2:22cr87</u>	
Defendant: <u>George Pickard</u>	(<input checked="" type="checkbox"/>) In Custody (<input type="checkbox"/>) On Bond

X Came on for disposition. X Deft. Sworn.

X Court adjudged deft. guilty of count 1 of the Indictment

X Deft X motion for variance - DENIED

X Govt X motion for acceptance of responsibility - GRANTED

X Presentence Report reviewed. Objections heard and rulings made.

X The presentence report is modified to reflect the appropriate base offense level.

X Evidence presented. (Witnesses and exhibits listed on last page)

X Arguments of counsel heard. X Statement of deft. heard.

SENTENCING GUIDELINES :

Offense Level: 18

Criminal History: I

Imprisonment Range: 37 to 46 months

Supervised Release: 1 to 3 years

Fine Range: \$ 10,000 to \$ 100,000

Restitution \$ Not applicable

Special Assessment: \$100

IMPRISONMENT:

SENTENCE: Count 1: The deft. shall be committed to the custody of the BOP to be imprisoned for a total term of 37 months.

X The deft. is remanded to the custody of the U.S. Marshal.

SUPERVISED RELEASE:

X Upon release from imprisonment, the deft. shall be on supervised release for a term of 3 years.

Standard Conditions of Supervised Release/Probation:

The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

While on supervised release, the defendant shall not commit another federal, state, or local crime.

While on supervised release, the defendant shall not illegally possess a controlled substance.

While on supervised release, the defendant shall not possess a firearm, destructive device, or any other dangerous weapon.

Special Conditions of Supervised Release/Probation:

X If the deft tests positive for illicit substances, he shall participate in a program approved by the United States Probation Office for substance abuse, which program may include residential treatment and testing to determine whether the deft. has reverted to the use of drugs or alcohol, with partial costs to be paid by the deft., all as directed by the probation officer.

X The deft. shall participate in a program approved by the United States Probation Office for mental health treatment. The cost of this program is to be paid by the defendant as directed by the probation officer.

X The deft. shall waive all rights of confidentiality regarding substance abuse and mental health treatment in order to allow the release of information to the United States Probation Office and authorize communication between the probation officer and the treatment provider.

X The deft. is subject to searches of his phone and/or computer at the discretion of the probation officer.

FINANCIAL PENALTIES

SPECIAL ASSESSMENT:

X As to count 1, the deft shall pay a special assessment in the amount of \$100.00 .

The total special assessment due is \$100.00 and shall be due in full immediately.

Any balance remaining unpaid on the special assessment at the inception of supervision, shall be paid by the deft. in installments of not less than \$25.00 per month, until paid in full. Said payments shall commence sixty (60) days after defts. supervision begins.

FINE:

X Court finds deft. is unable to pay fine.

SCHEDULE OF PAYMENTS:

X The special assessment/fine/restitution is due and payable immediately. Any balance remaining unpaid on the special assessment/fine/restitution at the inception of supervision, shall be paid by the deft. in installments of not less than \$25 per month, until paid in full. Said payments shall commence 60 days after deft's supervision begins.

X The deft. notified of right of appeal within 14 days.

X On motion of gov't, remaining counts dismissed.

X Court recommends to the Bureau of Prisons:

X The deft. be incarcerated in or near the Tidewater region of Virginia.

X The deft. be enrolled in a mental health program.

X The deft be enrolled in a substance abuse treatment program.

X The deft be enrolled in a vocational education program.

X Consent Order of Forfeiture, executed and filed in open court.

Additional Counts/Comments: Letter in support submitted to the Court.